

**MINUTES  
TOWN OF EDGEWOOD  
REGULAR COUNCIL MEETING – SEPTEMBER 3, 2008 @ 6:30 P.M.  
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

**1. CALL TO ORDER.**

Mayor Stearley called the meeting to order at 6:30 P.M.

All Councilors were present with the exception of Councilor Abrams.

Also present was Ms. Karen Mahalick, Community Planning & Development Manager, and Ms. Estefanie B. Muller, Clerk-Treasurer.

**2. PLEDGE OF ALLEGIANCE.**

**3. APPROVAL OF AGENDA.**

**MOTION:** Councilor Felton made a motion to approve the agenda with the removal of Item 19 to the next regular Council Meeting.

Mayor Stearley stated that he was planning to add some additional language to the Ordinance.

Councilor Hill requested that this item be given its due time and attention.

Councilor Simmons stated that she would be open to a special meeting for the Sign Ordinance.

Councilor Hill seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

**4. MATTERS FROM THE MAYOR.**

A. Appointment of Planning & Zoning Commissioner.

Mayor Stearley introduced Ms. Janelle Turner and requested that Council approve her for the Planning & Zoning Commission opening.

**MOTION:** Councilor Felton made a motion to appoint Ms. Janelle Turner to the Planning & Zoning Commission. Councilor Hill seconded for discussion.

Councilor Felton asked Ms. Turner to introduce herself to the Council and Public.

Ms. Turner stated that she has lived in the area since 1990 and that she is familiar with the older community as well as the more recent arrivals and she considers herself to be a fair individual.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

B. Town Business Initiatives.

Mayor Stearley reviewed this item stating that it is his job to keep the Sign Ordinance before the Council until it becomes something that they can vote on.

Mayor Stearley also stated that after much was time invested in a Local Business Reference he has decided to abandon the idea and stick with the regular Yellow Pages. Mayor Stearley discussed the State Law that does not allow the Town to offer a discount to local businesses.

**C. NM Clean Energy Grants.**

Mayor Stearley read from the letter stating that the Town had not been awarded the grant for Wind Energy Turbines at the Sewer Plant.

Councilor Hill asked who was funded by this grant and if it was based on a points system.

Ms. Mahalick responded.

Councilor Felton stated that any information that staff was able to acquire would be helpful in applying for future grants.

**D. Water Rate Case at PRC for Clovis.**

Mayor Stearley discussed this issue stating that he had instructed David Henderson, Attorney to monitor this only.

Councilor Hill stated that he felt the City of Clovis may provide a synopsis of these accounts to the Town of Edgewood upon request.

**E. Budget Discussion.**

Mayor Stearley reviewed this item stating that there were 15 proposed changes including a budget for a new road-crew member and Library space rental.

Mayor Stearley provided documents for the Council.

Councilor Hill stated that he did not agree with comparing the Chamber of Commerce to the Library.

Councilor Felton stated that he wanted the Council to be cautious when it comes to relying on the Wal-Mart sales especially in the face of long-term positions and projects.

Councilor Hill stated that the status of the overall economy should be considered as well, and that the building permit applications for the State are down 60%.

**5. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**

Councilor Hill discussed the \$120,000.00 for Library Planning that was lost.

Ms. Mahalick clarified that \$50,000.00 of the State Appropriations were lost and that she could provide spreadsheets for the Council.

Councilor Hill stated that he felt there should be some way to tract appropriations.

Ms. Mahalick stated that the Public Safety Appropriation was lost because of a lack of an agreement.

Councilor Simmons requested a Thank You letter to Hunter Lumber regarding the plywood that Mr. Hunter donated for the parade.

Councilor Felton asked about the weeds.

Ms. Mahalick stated that DOT had stated that this was an ongoing project.

Ms. Mahalick stated that the NMDOT would provide the application of herbicide if the Town purchased the chemicals, and that she would get the price information to Council.

**6. PUBLIC COMMENTS. (Limit to 2 minutes per person).**

**Note: If you plan to testify under Public Hearings, please do not sign up for the same topic.**

Mr. Fred Burger stated that the Sewer System will give the Town more money by way of new businesses. He also asked about the project to settle dust.

Mayor Stearley responded stating that dust suppressant was something he is going to ask

Council to approve.

Mr. Burger asked how long it is in between applications.

Ms. Mahalick stated that it was about 6 months but has been a little longer this time due to a lack of funding.

Ms. Sue West discussed the parade stating that it was wonderful as well as the events at Wildlife West. She also asked about making a list available to the public on the changes to the budget.

Ms. West also discussed the ADA compliance for the Library.

Mr. Chuck Ring stated that Edgewood was the only community that is seeing an increase in GRT. Mr. Ring also stated that he felt the Town does need a Administrator and that the Town needed to be diligent in their selection. Mr. Ring also asked about an Energy Committee that could be tasked with finding money for these projects.

**7. MATTERS FROM THE ATTORNEY.**

None.

**8. MATTERS FROM THE MUNICIPAL JUDGE.**

F. Judge White will present his report for the month of August, 2008.

Judge White presented his report for the month of August, 2008.

**9. PUBLIC SAFETY UPDATE.**

G. Introduction of Officer Jesus Roybal.

Chief Welch introduced Officer Jesus Roybal at this time, stating that he had been Chief for the Santa Rosa Police Department.

H. Update by Chief Welch.

Chief Welch presented his report. He also stated that he had not ordered the new computers for the police cars and that they were quickly filling up with equipment.

Councilor Hill asked about the road radar.

Chief Welch stated that it had been placed on Dinkle last week.

Ms. Mahalick stated that the radar machine was not calculating traffic accurately and that a new computer was going to be put in.

Chief Welch stated that they held the first Department Meeting last week.

Councilor Hill reminded the Chief about the HERO program.

**10. ANIMAL CONTROL REPORT.**

I. Animal Control Report for the month of August, 2008.

Ms. Victoria Murphy presented the Animal Control report for the month of August.

Ms. Murphy discussed past and upcoming events that the Department had been involved in. She also discussed the Run, Rally and Rock parade stating that they handed out candy and magnets to create an awareness of the Towns Animal Control Department.

**11. PUBLIC HEARING.**

**Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:**

Mayor Stearley asked for certification that public notice of this hearing was posted as required.

Ms. Estefanie Muller certified that it had been posted.

J. Proposed Ordinance No. 2008-04 Town of Edgewood Animal Care and Control Ordinance.

Ms. Murphy gave a brief summary of the changes to the Ordinance.

Mr. DeBuck discussed some of the issues he had with the proposed Ordinance.

Ms. Murphy responded to all the issues that Mr. DeBuck introduced stating that they were all being addressed in the new ordinance. She also discussed a dog park being considered by the Parks and Recreation department.

Mr. DeBuck added that possibly BLM land could be used for a dog park.

Ms. Laura Bonner of Animal Protection of NM congratulated the Town on their Animal Control Officers stating that they do a great job. She also stated that she worked with Ms. Murphy and Mr. Ring on this new Ordinance and it was a pleasure.

Ms. Monica Stoner stated that she also worked on the Ordinance with Ms. Murphy and that she contributed an Anti-Animal Control voice and enjoyed working with such intelligent people on a cool Ordinance.

Councilor Simmons commented on Livestock stating that she would like to have more protection from trespassing and taunting.

Ms. Murphy stated that this was covered in the Ordinance.

**MOTION:** Councilor Felton made a motion to adopt Ordinance No. 2008-04 repealing Ordinance 2003-02. Councilor Simmons seconded the motion.

Ms. Murphy addressed the only change to the Fee Schedule being the increase in fee for un-sterilized dogs.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye.  
Councilor Felton voted aye. The motion carried.

**12. DEPARTMENT OF FINANCE AND ADMINISTRATION FINAL BUDGET APPROVAL FOR 2008-09.**

Ms. Muller reviewed the letter and the standard language for the Council.

**MOTION:** Councilor Simmons made a motion to approve the Final Budget for 2008-09. Councilor Hill seconded the motion.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**13. NEW MEXICO STATE APPROPRIATION PROJECT CLOSE-OUT.**

K. Project No. 99-L-NR-I-3-G-351 Ms. Karen Mahalick

Ms. Mahalick reviewed this item for the Council stating that the letter states that the Town has been reimbursed the \$25,000.00.

L. Project No. 99-L-350 Community Center – Mr. Roger Holden.

Mr. Roger Holden reviewed this item for the Council stating that the funds had been 100% expended.

M. Project No. 99-L-353 Basketball Area Construction – Mr. Roger Holden.

Mr. Roger Holden reviewed this item for the Council stating that the funds for this

project had also been 100% expended and it is now closed.

Ms. Mahalick reviewed the State Appropriations for the Council at this time as well as an EPA Grant that she will request an extension for.

Ms. Mahalick stated that she would provide this spreadsheet for Council when it was completed.

**14. REPORT FROM WILD LIFE WEST – Mr. Roger Alink.**

Mr. Roger Alink discussed some of the history behind Wildlife West.

Mr. Alink read portions of a petition that had been circulated by the community that included 500 signatures. At this time Mr. Alink presented an invoice to the Town for the shortcoming that was a result of the Town pulling it's funding for the Music Festival.

Mayor Stearley asked about the Run, Rally and Rock.

Mr. Alink responded stating that the Run, Rally, and Rock was a partnership with the Chamber and that it was a successful event even though it was under funded.

Mr. Alink stated that the costs to maintain the park have increased and the park is struggling and he would like to see the Council offer some help.

Councilor Simmons stated that she was hopeful that the Town would partner with the Park again.

Mr. Alink made a comment about the huge variety of music presented at the Music Festival.

Councilor Simmons requested that the Public be allowed to speak about Wildlife West.

Mr. Sharon Walker stated that she was a new resident but that she would like to add her plea for support for Wildlife West.

Ms. Sherry Rife also made a request for support for Wildlife West stating that the mission of the Park is education and it would be a shame to loose this facility.

Ms. Clareen McGary thanked the Council for Rainbow Road work and that she had signed up to work with Mr. Alink. She also stated that the Boy and Girl Scouts learn a lot from the Park.

**15. PROCLAMATIONS.**

N. Daughters of the American Revolution – Constitution Week September 17-23

Mayor Stearley read the Proclamation for the public.

O. Edgewood Civitan Club.

Mayor Stearley read the Proclamation for the public

**16. COMMUNITY DEVELOPMENT REPORT.**

P. I.C.I.P. Review.

Ms. Mahalick reviewed this item for Council stating that the Wastewater System had been removed from the list.

Mayor Stearley asked about the amount for the Public Works Facility.

Ms. Mahalick stated that it depends on how it is built and the standards that are being implemented to qualify for the Legislative funding.

Councilor Hill asked about the fire station costs.

Ms. Mahalick stated that she would have to go back and look at their ICIP, but she did not know if it was built to the new standards.

Councilor Hill asked about public access to the Public Works Facility.

Ms. Mahalick stated that it would have limited public access.  
Councilor Simmons asked about passive solar stating that this could be very helpful.  
Councilor Hill stated that there was a cost for the entryway to Section 16.  
Councilor Felton asked about the number of fields that the ICIP calls for.  
Ms. Mahalick stated that this was predicated on 3 fields.  
Mayor Stearley asked about the 3 million and if it would not fund 8 fields.  
Mr. Holden stated that it depended on the topography and the type of fields but that they are just not sure yet.  
Councilor Felton asked for clarification as to what the Town was requesting from the Legislature.  
Ms. Mahalick stated that Parks and Recreation had presented a proposal to Council for 8 fields, Phase I is the only part approved. The resolution from the Town Council was interested in the acquisition of more.  
Councilor Hill stated that he had met with Senator Wilson-Beffort and that these requests are sometimes a two way street in that the Legislators have a vision for the community needs as well and that it would be best for both parties to work together.  
Councilor Felton stated that his concern was the maintenance and policing that would be required for these fields.  
Mr. Holden clarified the number of fields.  
Ms. Mahalick stated that she would like to caution the Council against purchasing the land and instead to keep an eye on it.  
Councilor Hill stated that the Council could change the zoning on Section 16 to Special Use and this would preclude developers from doing anything except recreational facilities.  
Ms. Mahalick confirmed this approach.  
Councilor Simmons commented on Vista Grande Community Center and stated that over time if a project has the support of the community good things can happen.  
Mayor Stearley stated that he was planning on meeting with Commissioner Anaya about the Recreation Fields.  
Councilor Simmons stated that she would like to be a part of that meeting.  
Ms. Mahalick stated that the Public Hearing on this will take place at the next meeting and if there are any projects or comments to please send her an email.  
Mayor Stearley stated that there needed to be some numbers in this for the Regional Animal Shelter.  
Ms. Mahalick stated that she had removed this item until there is more information available and at that point there would be an amount assigned.  
Councilor Hill stated that a Land Fill should be added.  
Mayor Stearley stated that the last time he talked to Torrance County about their landfill that they were interested in partnering.  
Councilor Hill wanted a study to show how much waste the area was producing and the facilities ability to accommodate it so that the Town has an idea where it is going.  
Mayor Stearley stated that he had asked Ms. Murphy to perform a study of Modular Animal Shelters and is planning to meet with Ms. Murphy to discuss these facilities.  
Mayor Stearley stated that he would contact Commissioner Brasher to see if he would be available to meet with Ms. Murphy on that day as well.

Q. Acceptance of Bid for Frost Road Phase II - M.A.P. Project.

Ms. Mahalick reviewed this item requesting that Council accept the bid from Star Paving for Frost Road Phase II.

**MOTION:** Councilor Hill made a motion to accept the bid from Star Paving for Frost Road Phase II – M.A.P. Project. Councilor Felton seconded the motion.

At this time Councilor Simmons disclosed that her family owns the easement at this location.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

R. Budget Resolution No. 2008-55 – Town of Edgewood Capital Funds.  
Ms. Mahalick reviewed this item for Council.

**MOTION:** Councilor Simmons made a motion to approve the Budget Resolution No. 2008-55. Councilor Felton seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

S. Review of Section 16 Work Order.

Ms. Mahalick reviewed this item for Council.

Mayor Stearley asked about the term Municipal Facility.

Ms. Mahalick clarified this.

Councilor Simmons stated that it was very nice of Design Services to donate the drawing.

Ms. Mahalick stated that this was for review purposes only and no action was required at this time.

T. Review of Section 34 Work Order.

Mayor Stearley stated that he would like to get more cost information to the Council at a later date and ask them to budget for the fencing at that time.

Ms. Mahalick stated that the fence and the boundary survey plat are conditions of BLM.

Mr. Holden stated that the petition for annexation just went out today which would allow the for the Town to police the area.

Councilor Simmons stated that she had some concerns about the survey.

Tappan of Dennis Engineering commented on this issue.

**17. REQUEST APPROVAL TO GO OUT TO BID FOR DISPOSAL AND COLLECTION LINES FOR SEWER SYSTEM.**

Ms. Mahalick reviewed this item for the Council stating that she had received notification from NMED Rip Loan coordinator that the loan has been approved and should be in the mail shortly and the project manager from NMED has cleared the project and Ms. Mahalick is asking for the approval from the Council on this resolution.

**MOTION:** Councilor Simmons made a motion to go out to bid for Disposal and Collection Lines for the Sewer System. Councilor Felton seconded the motion.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

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Initials

**18. BUDGET RESOLUTION NO. 2008-54 TOWN OF EDGEWOOD SEWER SYSTEM.**

**MOTION:** Councilor Felton made a motion to approve Resolution No. 2008-54. Councilor Hill seconded the motion.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**19. SIGN ORDINANCE PRESENTATION.**

This item was tabled.

**20. APPROVAL OF PREVIOUS MINUTES.**

U. Special Council Meeting Minutes of August 19, 2008.

V. Regular Council Meeting Minutes of August 20, 2008.

**MOTION:** Councilor Felton made a motion to approve both the Special Council Meeting Minutes of August 19, 2008 and the Regular Council Meeting Minutes of August 20, 2008. Councilor Hill seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

**21. ACKNOWLEDGEMENT OF THE PLANNING & ZONING COMMISSION MEETING MINUTES.**

W. Planning & Zoning Commission Meeting Minutes of August 18, 2008.

**MOTION:** Councilor Hill made a motion to acknowledge the receipt of the Planning & Zoning Commission Meeting Minutes. Councilor Simmons seconded for discussion.

Councilor Simmons made a comment on the length of time that has been dedicated to the Raven's Roost issue.

Ms. Mahalick stated that whenever a neighboring property owner threatens to sue the Town she would proceed very cautiously.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**22. RESOLUTION NO. 2008-48 – Councilor Brad Hill.**

Restriction for the Use of Gross Receipts Tax Derived from New Construction.

Councilor Hill reviewed this item for the Council and the public.

Councilor Felton discussed his concerns about the tying up of funds.

Councilor Hill responded.

Mayor Stearley stated that he was supportive of the Resolution and that it was very well worded.

Councilor Hill stated that as time goes on this Resolution could be modified and gives the Council a little more flexibility at this point in the growth of the Town.



Ms. Mahalick stated that this gives the Council an opportunity to see where the growth is coming from.

Mayor Stearley stated that a Budget Resolution would be needed at a later date.

**MOTION:** Councilor Simmons made a motion to adopt Resolution No. 2008-48  
Councilor Hill seconded the motion.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**23. BUDGET RESOLUTION NO. 2008-53 TOWN OF EDGEWOOD POLICE DEPARTMENT.**

**MOTION:** Councilor Simmons made a motion to adopt Budget Resolution No. 2008-53. Councilor Felton seconded the motion.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**24. APPROVAL OF MAINTENANCE –CUSTODIAL JOB DESCRIPTION.**

**MOTION:** Councilor Hill made a motion to approve the Maintenance-Custodial job description. Councilor Felton seconded the motion.

**VOTE:** Councilor Simmons voted aye. Councilor Hill voted aye. Councilor Felton voted aye. The motion carried.

Mayor Stearley asked that a Budget Resolution for the Road Crew Position be placed on the next Agenda.

**25. APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF EDGEWOOD AND SANTA FE COUNTY.**

Re: Operational budget expenses of \$20,000 for the Edgewood Community Library.

Mayor Stearley discussed this item with Council.

**MOTION:** Councilor Hill made a motion to approve the Memorandum of Understanding with Santa Fe County and, the corrected title, Town of Edgewood. Councilor Felton seconded the motion.

**VOTE:** Councilor Felton voted aye. Councilor Hill voted aye. Councilor Simmons voted aye. The motion carried.

**26. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.**

X. Regular Council Meeting – September 17, 2008 @ 6:30 P.M.

Y. Schedule presentation with Council and NM Legislative Delegates for 2009 Legislative Requests.

Councilor Hill stated that this was going to be a very interesting session.

Mayor Stearley asked when this should be scheduled.

Councilor Hill stated that he felt a budget workshop to allow for time.  
Z. Tour of Sewer Plants on September 6, 2008 has been **CANCELLED**.

**27. ADJOURN.**

**MOTION:** Councilor Simmons made a motion to adjourn.

**VOTE:** All Councilors voted aye.

Mayor Stearley adjourned the meeting at 9:55P.M.

**PASSED AND APPROVED this 17<sup>th</sup> day of SEPTEMBER, 2008**

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Honorable Robert Stearley, Mayor

**ATTEST:**

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Estefanie B. Muller, Clerk-Treasurer